

AMENDED IN SENATE APRIL 14, 2009

SENATE BILL

No. 516

Introduced by Senator DeSaulnier
(Coauthor: Assembly Member Torlakson)

February 26, 2009

An act to add and repeal Article 4 (commencing with Section 18730) of Chapter 3 of Part 10.2 of the Revenue and Taxation Code, and to add Chapter 4 (commencing with Section 2200) to Division 2.5 of the Welfare and Institutions Code, relating to the California Youth Legislature.

LEGISLATIVE COUNSEL'S DIGEST

SB 516, as amended, DeSaulnier. California Youth Legislature.

Existing law establishes the California Senior Legislature to provide model legislation for older citizens and advocate for the needs of seniors. This law establishes in the State Treasury the California Fund for Senior Citizens to receive contributions from tax return designations to support the sessions of the California Senior Legislature.

This bill would establish the California Youth Legislature, *composed of students ages 14 to 18 years, inclusive, and, subject to specified considerations, appointed by Members of the Legislature*, to provide model legislation and advocate for the needs of youth. The California Youth Legislature would be charged with examining and discussing policy and fiscal issues affecting the interests, needs, and conditions of the youth of California and to formally advise and make recommendations to the Legislature and the Governor on specific issues affecting youth. The bill would authorize the California Youth Legislature to enter into an interagency agreement with a state entity to carry out necessary administrative functions. The bill would create

in the State Treasury until January 1, 2015, the California Fund for Youth to receive contributions from tax return designations to support the sessions of the California Youth Legislature. The bill also would authorize the California Youth Legislature to accept gifts and grants from any source to help perform its functions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Article 4 (commencing with Section 18730) is added to Chapter 3 of Part 10.2 of the Revenue and Taxation Code, to read:

Article 4. California Fund for Youth

18730. (a) Any individual may designate on the tax return that a contribution in excess of the tax liability, if any, be made to the California Fund for Youth established by Section 18731 to be used to conduct the sessions of the California Youth Legislature and to support its ongoing activities on behalf of youth.

(b) The contribution shall be in full dollar amounts and may be made individually by each signatory on the joint return.

(c) A designation under subdivision (a) shall be made for any taxable year on the initial return for that taxable year, and once made shall be irrevocable.

In the event that payments and credits reported on the return, together with any other credits associated with the individual's account, do not exceed the tax liability, if any, shown thereupon, the return shall be treated as though no designation has been made.

(d) The Franchise Tax Board shall revise the forms of the return to include a space labeled the "California Fund for Youth" to allow for the designation permitted under subdivision (a). The forms shall also include in the instructions the information that the contribution may be in the amount of one dollar (\$1) or more and that the contribution will be used to conduct the sessions of the California Youth Legislature and to support its ongoing activities on behalf of youth.

1 (e) A deduction shall be allowed under Article 6 (commencing
2 with Section 17201) of Chapter 3 of Part 10 for any contribution
3 made pursuant to subdivision (a).

4 18731. There is hereby established in the State Treasury the
5 California Fund for Youth to receive contributions made pursuant
6 to Section 18730.

7 The Franchise Tax Board shall notify the Controller of both the
8 amount of money paid by individuals in excess of their tax liability
9 and the amount of refund money which individuals have designated
10 pursuant to Section 18730 to be transferred to the California Fund
11 for Youth. The Controller shall transfer from the Personal Income
12 Tax Fund to the California Fund for Youth an amount not in excess
13 of the sum of the amounts designated by individuals pursuant to
14 Section 18730 for payment into that fund.

15 18732. (a) All moneys transferred to the California Fund for
16 Youth pursuant to Section 18731, upon appropriation by the
17 Legislature, shall be allocated as follows:

18 (1) To the Franchise Tax Board and the Controller for
19 reimbursement of all costs incurred by the Franchise Tax Board
20 and the Controller in connection with their duties under this article.

21 (2) The balance to the California Youth Legislature, for its
22 ongoing activities on behalf of youth.

23 (b) All moneys allocated pursuant to paragraph (2) of
24 subdivision (a) may be carried over from the year in which they
25 were received and encumbered in any following year.

26 (c) The funds allocated to the California Youth Legislature for
27 the purpose of funding the activities of the California Youth
28 Legislature shall be spent pursuant to the purview of the Joint
29 Rules Committee of the California Youth Legislature in a manner
30 consistent with the bylaws of the California Youth Legislature,
31 established through a majority vote of the California Youth
32 Legislature.

33 18733. This article shall remain in effect only until January 1,
34 2015, and as of that date is repealed, unless a later-enacted statute,
35 that is enacted before January 1, 2015, deletes or extends that date.

36 SEC. 2. Chapter 4 (commencing with Section 2200) is added
37 to Division 2.5 of the Welfare and Institutions Code, to read:

CHAPTER 4. CALIFORNIA YOUTH LEGISLATURE

2200. (a) The Legislature finds and declares that the needs of youth can best be assessed by California's youth.

(b) The Legislature recognizes that all young people need five key developmental resources in order to become productive citizens: caring adults, safe places, a healthy start, an effective education, and opportunities to help others. The Legislature further recognizes that young people who receive more of these developmental resources fare better than young people who receive fewer, and that those young people are more likely to avoid violence, contribute to their communities, and achieve high grades in school. *The Legislature further recognizes the significant number of California's youth who live disadvantaged lives. Youth who are homeless, in the juvenile justice system, or in foster care have limited opportunities to participate in the policies process that ultimately impacts their well-being.*

(c) The Legislature is alarmed that hundreds of thousands of California youth are among the two-thirds of America's children and youth recently identified by the America's Promise Alliance as not receiving sufficient developmental resources to safely put them on the path to adulthood. The Legislature also is concerned that the high school completion rate is less than 60 percent for low-income students and students of color in California, that gang and youth violence continue to be a concern and that after years of declining numbers, teen pregnancy rates are also on the rise. The Legislature is encouraged, however, by research indicating that providing more of the five developmental resources for more young people can help prevent many of these problems, and that millions of dollars in later prison, health, and welfare costs can be avoided by providing more developmental resources for more young people now.

(d) The Legislature also agrees with the America's Promise Alliance's call for greater collaboration and integration in working to turn failure into action and improve the lives of young people at risk and with the actions of the more than 20 states that have committed their state resources for the creation of statewide entities charged with improving the developmental well-being of their children and youth.

1 (e) The California Youth Legislature shall be established through
2 this chapter and shall operate according to the procedures set forth
3 in this chapter to provide model legislation and advocate for the
4 needs of youth.

5 2201. (a) The California Youth Legislature shall be composed
6 of two houses, the California Youth Senate, composed of 40
7 members, and the California Youth Assembly, composed of 80
8 members.

9 (b) Members of the California Youth Legislature shall serve
10 two-year terms.

11 (c) *Members of the California Youth Legislature shall be ages*
12 *14 to 18, inclusive, and currently enrolled in a California junior*
13 *high, middle, or high school, or participating in a nonpublic,*
14 *home-based educational program or a general equivalency degree*
15 *program.*

16 2202. (a) The members of the California Youth Legislature
17 shall be appointed by the Legislature, with one member appointed
18 by each Member of the Senate and each Member of the Assembly.

19 (b) *Members of the Senate and Members of the Assembly, in*
20 *making their appointments, shall take into consideration that the*
21 *members of the California Youth Legislature represent the racial,*
22 *ethnic, socioeconomic, cultural, physical, and educational diversity*
23 *of California. Particular emphasis should be placed on reaching*
24 *out to at-risk or disadvantaged youth to serve as members of the*
25 *California Youth Legislature, as their participation will provide*
26 *keen insight to many of the issues that youth face in their*
27 *day-to-day lives.*

28 2203. (a) The California Youth Legislature shall have the
29 authority to define its program and utilize its funds in any way
30 necessary to carry out the duties of this chapter, as long as the
31 program or activity is not in violation of a state law or regulation.

32 (b) The California Youth Legislature shall do ~~both~~ *all* of the
33 following:

34 (1) Examine and discuss policy and fiscal issues affecting the
35 interests, needs, and conditions of the youth of California.

36 (2) Formally advise and make recommendations to the
37 Legislature and the Governor on specific issues affecting youth,
38 including, but not limited to, all of the following:

39 (A) Education.

40 (B) Employment.

- 1 (C) Access to state and local government services.
2 (D) The environment.
3 (E) Behavioral and physical health.
4 (F) Safety.
5 (G) Technology.
6 (H) Criminal justice.
7 (I) Homelessness.
8 (J) Foster care.
9 (K) Child welfare.
10 (L) Emancipation.
11 (M) Financial literacy.
12 (N) Substance abuse.
13 (O) Driver's license requirements.
14 (P) Poverty.
15 (Q) Increased youth participation in state and local government.
16 (R) Any other policy or fiscal issues deemed appropriate by the
17 Youth Legislature.
18 *(3) Consult with any existing local level youth advisory*
19 *commissions and community-based, grassroots youth-led*
20 *organizations for input and potential solutions on issues related*
21 *to youth.*
22 (c) The Youth Legislature shall act as an information center on
23 California youth policy and fiscal issues, including, but not limited
24 to, the issues listed in subdivision (b).
25 2204. (a) The California Youth Legislature shall enter into a
26 mutually agreed-upon interagency agreement with a state entity
27 to carry out administrative duties related to its program.
28 (b) The California Youth Legislature shall identify the state
29 entity for purposes of subdivision (a) by May 1, 2010, in order to
30 meet the budget proposal cycle to achieve a transition of
31 responsibilities in the 2011–12 fiscal year.
32 (c) This section does not preclude the California Youth
33 Legislature from entering into mutually agreed-upon interagency
34 agreements for any subsequent fiscal year.
35 2205. (a) The funds for the California Youth Legislature shall
36 be allocated from the California Fund for Youth or private funds
37 directed to the Legislature for the purpose of funding activities of
38 the California Youth Legislature.

1 (b) The California Youth Legislature may accept gifts and grants
2 from any source, public or private, to help perform its functions,
3 pursuant to Section 2203.

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